

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

OLE SMOKY DISTILLERY, LLC,)	
)	
Plaintiff,)	
)	
v.)	No. 3:19-cv-00178-JRG-DCP
)	
KING DISTILLING CO. LLC,)	
)	
Defendant.)	

**PLAINTIFF OLE SMOKY DISTILLERY, LLC’S MOTION FOR ENTRY OF DEFAULT
JUDGMENT AGAINST DEFENDANT KING DISTILLING CO. LLC**

Plaintiff Ole Smoky Distillery, LLC (“Ole Smoky”), by and through its undersigned counsel, hereby moves for an entry of default judgment against Defendant King Distilling Co. LLC (“King Distilling”). Plaintiff’s motion for default judgment is made pursuant to Rule 55(b) of the Federal Rules of Civil Procedure, and in support of the Motion Ole Smoky states as follows:

1. On September 2, 2020, for the second time in this case, the Clerk entered the default against King Distilling.
2. Judgment should be entered against King Distilling on all of the claims pleaded in the Complaint. The grounds for Ole Smoky’s motion are more fully laid out in the supporting Memorandum In Support of Ole Smoky’s Motion for Entry of Default Judgment filed herewith. Ole Smoky’s Motion is also based on the pleadings and papers on file in this matter, including Ole Smoky’s Complaint [Dkt. 1] and Request for Entry of Default [Dkt. 46].

WHEREFORE Ole Smoky respectfully requests the Court:

- (1) Enter a final Default Judgment on the merits against King Distilling finding King Distilling liable on all Counts of Ole Smoky’s Complaint;

- (2) Enter a permanent injunction against Defendant in the form filed herewith;
- (3) Other and further relief as the Court may deem just and proper.

Dated September 3, 2020.

Respectfully submitted,

By: Michael E. Robinson
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Matthew M. Googe, TN Bar No. 6,414
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Attorneys for Plaintiff
Ole Smoky Distillery, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September 2020, a copy of the foregoing Motion for Entry of Default Judgment was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. I hereby further certify that a copy of the foregoing Motion for Entry of Default Judgment, including the Memorandum in Support of Entry of Default Judgment and proposed order, was served by U.S. Mail on the defendant as follows:

King Distilling Co., LLC
c/o C. Kyle Spurlock III
5543 Edmondson Pike, Suite 240
Nashville, TN 37211

King Distilling Co., LLC
1970 Winfield Dunn Pkwy.
Sevierville, TN 37876

By:


Michael E. Robinson